

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 189 be amended to read as follows:

- 1 Page 5, after line 13, begin a new paragraph and insert:
2 "SECTION 7. IC 15-12-1-43, AS ADDED BY SEA 190-2008,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2008]: Sec. 43. (a) A corporation or an association organized
5 under statutes in effect before February 23, 1925, may by a majority
6 vote of its stockholders or members, ~~may~~ elect to be governed by this
7 chapter by:
8 (1) limiting its **stockholders** or membership; and
9 (2) adopting the other restrictions provided in this chapter.
10 (b) The corporation or association shall make out in duplicate a
11 statement signed and sworn to by its directors specifying that the
12 corporation or association has, by a majority vote of the stockholders
13 or members:
14 (1) decided to accept the benefits of and be bound by this chapter;
15 and
16 (2) authorized the changes.
17 Articles of incorporation must be filed as required in section 12 of this
18 chapter, except that the articles of incorporation must be signed by the
19 current members of the board of directors. The filing fee is the same as
20 for filing an amendment to articles of incorporation.
21 SECTION 8. IC 15-14-1-12, AS ADDED BY SEA 190-2008,
22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2008]: Sec. 12. (a) As used in this section, "county executive"
24 means the board of commissioners of a county elected under

1 IC 36-2-2-2.

2 (b) The county executive ~~of a county containing taxable property~~
 3 ~~with a value of at least twenty million dollars (\$20,000,000)~~ may make
 4 an allowance out of the general fund of the county to a corporation
 5 incorporated under this chapter.

6 (c) Before an allowance under subsection (b) is made, the president
 7 or secretary of the association shall file a sworn statement with the
 8 county executive showing the:

9 (1) name and date of organization of the association; and

10 (2) amount expended for fairgrounds and permanent
 11 improvements needed for the fairgrounds and the amount
 12 necessary to complete the improvements.

13 (d) After receiving a sworn statement under subsection (c), the
 14 county executive may make an allowance that the county executive
 15 considers necessary, but that does not exceed either of the following:

16 (1) Ten thousand dollars (\$10,000).

17 (2) One-half (1/2) the amount shown by the statement to be
 18 expended on the grounds and improvements.

19 (e) The amount appropriated under this section is a lien on the real
 20 and personal property of the association.

21 (f) Dividends may not be declared or paid to the incorporators or
 22 stockholders until the appropriation made by the board is repaid to the
 23 county treasurer with interest.

24 SECTION 9. IC 15-14-7-3, AS ADDED BY SEA 190-2008,
 25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2008]: Sec. 3. (a) The president or secretary of a 4-H club
 27 described in section 2 of this chapter may file a petition signed by at
 28 least thirty (30) resident freeholders of the county with the county
 29 auditor of the county requesting that the executive make an
 30 appropriation provided for in section 2 of this chapter.

31 (b) The county auditor shall have the petition, without the
 32 signatures, ~~published~~ **printed** in a newspaper of general circulation
 33 ~~printed and that is~~ published in the county.

34 (c) The notice must state the date and time when the petition will be
 35 considered by the executive. The auditor shall set the date, ~~and~~ time,
 36 **and place** at which the petition will be considered, which must be at
 37 least thirty (30) days after the publication of the notice.

38 (d) If not later than the date and time published in the notice for the
 39 consideration of the petition by the executive, a remonstrance signed
 40 by more resident freeholders of the county than the number signing the
 41 petition is filed with the county auditor protesting the allowance, the
 42 executive shall consider the remonstrance. If the executive finds that
 43 the remonstrance is signed by a greater number of resident freeholders
 44 than the petition asking for an allowance, the executive:

45 (1) may not make an appropriation for the purposes set forth in
 46 section 2 of this chapter; and

(2) shall dismiss the petition and take no further action.

(e) After final acceptance by the executive, a petition under this section is effective for one (1) to five (5) years, as determined by the executive.

SECTION 10. IC 15-17-7-5, AS ADDED BY SEA 190-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) Cattle, goats, and cervids that react positively to a tuberculin test must be marked immediately using a method of identification approved by the board.

(b) All animals marked under this section shall be appraised by an authorized agent of the board or the United States Department of Agriculture.

(c) An identification mark on reactor cattle, **goats, and cervids** may not be tampered with or altered.

SECTION 11. IC 15-17-10-1, AS ADDED BY SEA 190-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) The owner of an animal affected with a dangerous or contagious disease shall report the disease to the state veterinarian not later than forty-eight (48) hours after discovering the existence of the disease.

(b) A ~~person~~ **veterinarian, caretaker, or custodian of an animal** who:

(1) is not the owner of ~~an~~ **the** animal; ~~who~~ **and**

(2) knows or has reason to suspect that a dangerous, contagious, or infectious disease exists ~~among animals in the animal~~; shall report the existence of disease to the state veterinarian or local health officer not later than forty-eight (48) hours after discovering **or having reason to suspect** the disease exists.

(c) A local health officer who receives a report from a person under this section shall report the disease within twenty-four (24) hours to the state veterinarian.

SECTION 12. IC 15-17-15-3, AS ADDED BY SEA 190-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) The board may adopt rules requiring that:

(1) all dairy or breeding cattle and bison sold through any public or private sale must be accompanied with an official health certificate; and

(2) the cattle and bison test negative for brucellosis and tuberculosis.

However, a special form prescribed by the board may be used for this purpose instead of the certificate of veterinary inspection.

(b) The board may adopt rules exempting animals from testing for brucellosis and tuberculosis within Indiana or other states or areas.

(c) ~~The board may not adopt rules exempting animals presenting little risk of spreading disease from brucellosis and tuberculosis testing requirements. However,~~ The state veterinarian may order cattle of any

- 1 age to be tested to determine the disease status of the animal."
- 2 Renumber all SECTIONS consecutively.
(Reference is to ESB 189 as printed February 22, 2008.)

Representative Friend